

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JESUS CAVADA-ARREDONDO,

Defendant.

)
)
)
)
)
)
)
)
)
)
)

8:04CR186

ORDER

This matter is before the court on the defendant's motion to continue trial due to defense counsel's scheduling conflict. The motion is unopposed. For good cause shown,

IT IS ORDERED that the motion to continue trial (#85) is granted, as follows:

1. The jury trial now set for August 17, 2010 is continued to September 14, 2010.

2. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **August 17, 2010 and September 14, 2010**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act because the failure to grant a continuance would deny the defendant reasonable time to obtain counsel, would unreasonably deny the defendant or the Government continuity of counsel, or would deny counsel for the defendant or the attorney for the Government the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).

3. Defendant shall file an affidavit or declaration regarding speedy trial, in compliance with NECrimR 12.1(a), no later than August 17, 2010.

DATED August 6, 2010.

BY THE COURT:

**s/ F.A. Gossett
United States Magistrate Judge**